

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Morning Session:
Set: 9:30 AM (AST)
Started: 9:46 AM (AST)
Ended: 12:04 PM (AST)

Afternoon Session:
Set: 1:04 PM (AST)
Started: 1:14 PM (AST)
Ended: 3:16 PM (AST)

**MINUTES OF PROCEEDINGS BEFORE
U.S. DISTRICT JUDGE LAURA TAYLOR SWAIN**

DATE: November 15, 2017

U.S. MAGISTRATE JUDGE JUDITH G. DEIN
COURTROOM DEPUTY: Lisa Ng and Carmen Tacoronte
COURT REPORTER: Lisa Fellis and Raquel Robles (SDNY)

In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> The Commonwealth of Puerto Rico, <i>et al.</i> Debtors	3:17-BK-3283 (LTS) (Jointly Administrated)
In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> Puerto Rico Sales Tax Financing Corporation (COFINA) Debtor	3:17-BK-3284 (LTS)
In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> Puerto Rico Highways And Transportation Authority Debtor	3:17-BK-3567 (LTS)

Omnibus Hearing
Pretrial Conference
November 15, 2017

The Bank of New York Mellon Plaintiff v Puerto Rico Sales Tax Financing Corporation ("COFINA"), <i>et al.</i> Defendants	3:17-AP-133 (LTS) <i>in 17-BK-3284 (LTS)</i>
Asociación de Salud Primaria de Puerto Rico, <i>et al.</i> Plaintiffs v Commonwealth of Puerto Rico, <i>et al.</i> Defendants	3:17-AP-227 (LTS) <i>in 17-BK-3283 (LTS)</i>

Omnibus Hearing held.

Report on mediation delivered by U.S. Chief Bankruptcy Judge Houser via telephone.

1. Debtors' 365(d)(4) Motion. Motion for Entry of Order Extending Time to Assume or Reject Unexpired Leases of Nonresidential Real Property Pursuant to Bankruptcy Code Section 365(d)(4) [Case No. 17-3283, ECF No. 1518].
 - a. The relief sought in the motion, as modified by the terms of the proposed order, was granted by Judge Swain. Objections resolved. Revised order to follow.
2. FGIC Motion to Stay Litigation. Urgent Motion of Financial Guaranty Insurance Company Regarding Proposed 90-Day Stay of All Litigation to Facilitate the Recovery from Hurricanes Irma and Maria [Case No. 17-3283, ECF No. 1514].
 - a. The motion was denied by Judge Swain. Order to follow.
3. Rexach Lift Stay Motion. Motion for Modification of the Automatic Stay [Case Nos. 17-3283 & 17-3567, ECF Nos. 770 & 212].
 - a. The motion was withdrawn. Stipulation to follow. See Docket Nos. 1786 in 17-3283 and 335 in 17-3567.
4. Siemens Transportation Rule 2004 Motion. Siemens Transportation Partnership, S.E.'s Motion for Authorization to Conduct Examination of the Government Development Bank for Puerto

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Rico, Carlos Vizcarrondo and Hector Betancourt, Pursuant to Federal Rule of Bankruptcy Procedure 2004 and Local Bankruptcy Rule 2004-1 [Case No. 17-3567, ECF No. 272].

- a. Magistrate Judge Dein ordered the parties to submit a proposed order as to this motion. Order to follow.

5. Creditors' Committee Rule 2004 Motion. Motion of Official Committee of Unsecured Creditors for Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of Puerto Rico Financial Crisis) [Case No. 17-3283, ECF No. 706].

- a. The motion was denied without prejudice by Magistrate Judge Dein. Order to follow.

Pretrial Conference in 17-AP-227 (LTS)

After hearing the parties, Magistrate Judge Dein adopts the deadlines as proposed. Parties informed that there is a similar case before U.S. District Judge Gustavo Gelpi and they think that both cases can be settled. Parties are to submit a status report on or before **November 28, 2017** on the appropriate venue for the disputes with the reasoning thereof.. Order to follow.

Afternoon Session:

6. National Public Finance Guarantee Corp. Rule 2004 Motion. Motion of National Public Finance Guarantee Corporation for Entry of an Order Pursuant to Bankruptcy Rule 2004 Authorizing Discovery [Case No. 17-3283, ECF No. 1177].
7. GO Bondholders, Assured Guaranty & Mutual Fund Group Rule 2004 Motion. Joint Motion by the Ad Hoc Group of General Obligation Bondholders, Assured Guaranty Corp. Assured Guaranty Municipal Corp., and the Mutual Fund Group for Order Authorizing Rule 2004 Examination [Case No. 17-3283, ECF No. 1178].
8. Ambac Rule 2004 Motion. Ambac Assurance Corporation's Motion for Entry of Order Authorizing Discovery under Bankruptcy Rule 2004 [Case No. 17-3283, ECF No. 1283].
 - a. Docket entries 1177, 1178 and 1283 were denied without prejudice by Magistrate Judge Dein. Order(s) to follow.
9. Urgent Motion to Shorten Notice. Joint Urgent Motion to Strike Portions of the Mutual Fund Group's and Puerto Rico Family of Funds' Motion for Summary Judgment Relating to Pre-2017 Defaults [Case No. 17-ap-133, ECF No. 444].
 - a. The motion was granted by Magistrate Judge Dein. Order to follow.

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Adjourned Matters:

1. Tamrio Motion to Compel. Motion to Compel the Puerto Rico Highways and Transportation Authority to Assume or Reject Executory Contracts [Case No. 17-3283, ECF No. 614].
2. Constructora Santiago II, Corp. Motion to Compel. Motion to Compel the Puerto Rico Highways and Transportation Authority to Assume or Reject Executory Contracts [Case No. 17-3283, ECF No. 627].
3. Ferrovial SA Motion to Compel. Motion to Compel the Puerto Rico Highways and Transportation Authority to Assume or Reject Executory Contracts [Case No. 17-3283, ECF No. 685].
4. Ferrovial Agroman LLC Motion to Compel. Motion to Compel the Puerto Rico Highways and Transportation Authority to Assume or Reject Executory Contracts [Case No. 17-3283, ECF No. 686].

s/Carmen Tacoronte

Carmen Tacoronte
Courtroom Deputy Clerk